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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,133	08/10/2001	Russell Andrew Fink	00-4045	6468

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VERIZON
PATENT MANAGEMENT GROUP
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ARLINGTON, VA 22201-2909

EXAMINER

TESLOVICH, TAMARA

ART UNIT	PAPER NUMBER
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2437

NOTIFICATION DATE	DELIVERY MODE
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10/21/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@VERIZON.COM

Office Action Summary	Application No. 09/928,133	Applicant(s) FINK ET AL.	
	Examiner Tamara Teslovich	Art Unit 2437	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 and 25-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 and 25-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 29, 2008 has been entered.

Claims 21-24 remain cancelled.

Claims 1, 6, 11, 15, 25-32 are amended.

Claims 1-20 and 25-32 are pending and herein considered.

Response to Arguments

Applicant's arguments with respect to the rejection(s) of claim(s) 1-20 and 25-32 under 35 USC 112 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of United States Patent No. 6,330,562 B1 to Boden et al.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 and 25-32 are rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent No. 6,330,562 B1 to Boden et al

As per **claim 1**, Boden teaches an apparatus for detecting adversarial activity on the network, comprising:

a memory configured to store a host table (col.3 lines 51-59; col.4 lines 51-60);

a key exchanger configured to repeatedly derive a cipher key such that the resulting cipher key changes over time (col.4 lines 1-22; col.5 lines 37-42);

a translator configured to restore predetermined portions of packet header information of a data packet according to a cipher algorithm keyed by the cipher key, wherein the predetermined portions include a previously translated address, the previously translated address being restored into the address (col.5 lines 37-42; col.6 lines 40-51; col.7 lines 58-67);

a mapping device configured to map the address to the host table (col.5 lines 15-25);

a host resolution device configured to issue a request to the network to resolve the address when the address does not match an entry in the host table and then

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supplement the host table with the address upon receipt of a reply to the request that indicates that the address is valid (col.5 lines 25-36, 54-62) and

an actuator configured to trigger a security device when the address does not match an entry in the host table (col.6 lines 13-31).

As per **claim 2**, Boden teaches wherein the security device is a logging device configured to log the data packet (col.8 lines 15-67).

As per **claim 3**, Boden teaches wherein the security device is configured to signal an alarm when triggered (col.11 lines 38-54).

As per **claim 4**, Boden teaches wherein said host resolution device is configured to derive the host table using an address resolution protocol (col.7 lines 27-50).

As per **claim 5**, Boden teaches a network device configured to place the data packet onto a network when the address maps to the host table (col.5 lines 25-36, 54-62).

As per **claim 25**, Boden teaches wherein the address includes a network portion and an apparatus portion, the apparatus portion of the address having been translated without the network portion also being translated, and wherein said translator is

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configured to restore the apparatus portion of the address without also restoring the network portion of the address (col.6 lines 32-39).

As per **claim 26**, Boden teaches wherein the data packet includes a translated packet header with a plurality of fields carrying packet header information, the translated packet header including the translated packet header information in one or more predetermined fields of the translated packet header interspersed with un-translated packet header information in fields other than the one or more fields of the translated packet header, and wherein said translator is configured to restore at least a portion of the packet header information in the one or more predetermined fields (col.6 lines 32-39).

Claims 6-10 and 27-28 correspond to the method employed by the apparatus in claims 1-5 and 25-26 respectively and are rejected accordingly.

Claims 11-15 and 29-30 correspond to a device equivalent to the apparatus in claims 1-5 and 25-26 respectively and are rejected accordingly.

Claims 16-20 and 31-32 correspond to a bastion-host form of the apparatus in claims 1-5 and 25-26 respectively and are rejected accordingly.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamara Teslovich whose telephone number is (571) 272-4241. The examiner can normally be reached on Mon-Fri 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tamara Teslovich/
Examiner, Art Unit 2437

/Emmanuel L. Moise/
Supervisory Patent Examiner, Art Unit 2437